

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

6

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Criminal Action No. 07-93-UNA
)
JONATHAN J. McKINNEY,) **FILED UNDER SEAL**
)
Defendant.)

MOTION FOR DETENTION HEARING

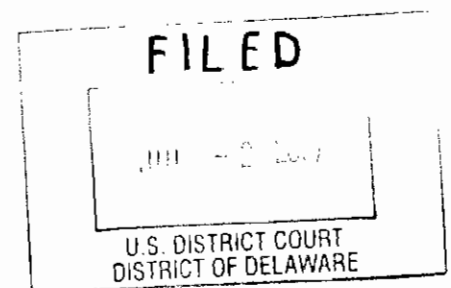
NOW COMES the United States and moves for the pretrial detention of the defendant, pursuant to 18 U.S.C. § 3142(e) and (f). In support of the motion, the United States alleges the following:

1. **Eligibility of Case.** This case is eligible for a detention order because case involves (**check all that apply**):

- ☒ Crime of violence (18 U.S.C. § 3156)
☐ Maximum sentence life imprisonment or death
☐ 10+ year drug offense
☐ Felony, with two prior convictions in above categories
☒ Minor victim
☐ Possession/ use of firearm, destructive device or other dangerous weapon
☐ Failure to register under 18 U.S.C. § 2250
☒ Serious risk defendant will flee
☐ Serious risk obstruction of justice

2. **Reason For Detention.** The court should detain defendant because there are no conditions of release which will reasonably assure (**check one or both**):

- ☒ Defendant's appearance as required
☒ Safety of any other person and the community



3. **Rebuttable Presumption.** The United States WILL invoke the rebuttable presumption against defendant under § 3142(e). (If yes) The presumption applies because (check one or both):

 X Probable cause to believe defendant committed 10+ year drug offense or firearms offense, 18 U.S.C. § 924(c), or a federal crime of terrorism, or a specified offense (violation of 18 U.S.C. § 2252A(a)(2)) with minor victim

 Previous conviction for "eligible" offense committed while on pretrial bond

4. **Time For Detention Hearing.** The United States requests the court conduct the detention hearing,

 At first appearance

 X After continuance of 3 days (not more than 3).

5. **Temporary Detention.** The United States requests the temporary detention of the defendant for a period of _____ days (not more than 10) so that the appropriate officials can be notified since (check 1 or 2, and 3):

1. At the time the offense was committed the defendant was:

 (a) on release pending trial for a felony;

 (b) on release pending imposition or execution of sentence, appeal of sentence or conviction, or completion of sentence for an offense;

 (c) on probation or parole for an offense.

 2. The defendant is not a citizen of the U.S. or lawfully admitted for permanent residence.

 3. The defendant may flee or pose a danger to any other person or the community.

6. **Other Matters.**

DATED this 2nd day of July 2007.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

BY: Christopher J. Burke
Christopher J. Burke
Assistant United States Attorney